REMARKS

Claims 1-4 and 6-12 are pending in the application, with Claims 1, 6, and 11 being the independent claims. In the Office Action, the Examiner rejected Claims 1-5 and 11-13 under 35 U.S.C. § 103, as being unpatentable over <u>Buck</u> (U.S. Patent No. 6,078,866) in view of <u>Kirsch</u> (U.S. Patent No. 5,659,732).

Applicants traverse these rejections, and respectfully request that the Examiner reconsider and withdraw the outstanding rejection of these claims.

<u>Buck</u> is a system of network site searching and listing which employs a server which maintains a listings database containing site listings, provided by subscribers, each of which includes a title or description of the content of the respective site, a network address at which the site can be accessed, and a denominated value to be paid by the subscriber as a subscription fee for the site listing. <u>Kirsch</u> is a document search method using a plurality of databases available from one or more servers using one or more search engines.

With respect to Claims 1, 6, and 11, among other features, <u>Buck</u> and <u>Kirsch</u> do not teach the features of:

- <u>Measuring the magnitude of an entity's presence.</u> This feature measures the number of occurrences that each of said pages falls within each of a series of predetermined metrics, wherein the measuring step comprises: parsing content of pages using predetermined categories of key words; searching for at least one key word in the predetermined categories; and scoring a subset of pages utilizing at least one key word and analyzed statistics based on an amount of key words found on a page. (See, e.g., Applicant's specification, page 4, lines 4-9; page 17, lines 33-36.)

- <u>Generating a comparative report comparing at least two entities based on the magnitude of each entity's presence.</u> This feature generates a report comparing benchmarks, wherein

the report compiles the analyzed statistics from the pages and prioritizes the pages

utilizing metrics. (See, e.g., Applicant's specification, page 4, lines 11-21; page 17, line

33 - page 18, line 10.)

Current Claims 1, 6, and 11 include these features. These claims are presented below,

with the support for these features highlighted in bold.

1. A method for analyzing the e-commerce competition of an entity, comprising the steps
of:
(1)   collecting pages that are commonly transmitted over a computer network;
(2)   collecting external data not directly retrievable from said pages;
(3)   classifying said pages using said external data and said pages according to a series
of predetermined entity-specific metrics defining information relevant to the entity;
(4)   **measuring the number of occurrences that each of said pages falls within
each of said series of predetermined metrics, wherein said measuring step comprises:**
parsing content of said pages using predetermined categories of key words;
searching for at least one key word in the predetermined categories; and
scoring a subset of said pages utilizing at least one key word and analyzed
statistics based on an amount of key words found on a page;
(5)   comparing said number of occurrences that each of said pages falls within each of
said series of predetermined metrics to a predetermined n-list of values for each of said series of
predetermined metrics; wherein said n-list represents a selective sampling in order to compare the
entity;
(6)   delivering a benchmark for the entity based on (5)
(7)   repeating steps (1) - (6) to obtain a list of benchmarks for other entities; and
(8)   **generating a report comparing said benchmarks, wherein said report
compiles the analyzed statistics from said pages and prioritizes said pages utilizing the
metrics to combine said analyzed statistics and said external data.**

6. A system for analyzing the e-commerce competition of an entity, comprising:
a downloader for searching a computer network, wherein said computer network contains
content commonly transmitted over a computer network;
a page processing module coupled to said downloader for receiving pages downloaded
from a search on said computer network, said page processing module identifying a subset of
downloaded pages;
an archive module coupled to said page processing module for storing said subset;
a processing module for collecting external data not directly retrievable from said pages;
an archive for storing the data from the page processing module, the archive module, and
the processing module;
**a scoring module for classifying said pages using said external data and said pages
according to a series of predetermined entity-specific metrics defining information relevant
to the entity, which are a result of: parsing content of said pages using predetermined
categories of key words; searching for at least one key word in said predetermined
categories; and scoring said subset utilizing at least one key word and analyzed statistics**

based on an amount of key words found on a page; and

a database for allowing a scoring module to measure the number of occurrences and compare the number of occurrences that each of said pages falls within each of said series of predetermined metrics to a predetermined n-list of values for each of said series of predetermined metrics; wherein said n-list represents a selective sampling in order to compare the entity in order to produce a report;

wherein said report delivers a benchmark for each entity and compares said benchmarks by compiling said analyzed statistics from said pages prioritized utilizing metrics defining information relevant to the entity; and prioritizing said pages utilizing said metrics to combine said analyzed statistics and said external data;

wherein said report is utilized to compare an entity's presence to at least one competitor's presence on said computer network.

11. A computer program product comprising a computer usable medium having computer readable program code means embodied in said medium for causing an application program to execute on a computer that develops and interprets e-commerce metrics of an entity, said computer readable program code means comprising:

first computer readable program code means for causing the computer to collect pages that are commonly transmitted over a computer network;

second computer readable program code means for causing the computer to collect external data not directly retrievable from said pages;

third computer readable program code means for causing the computer to classify said pages using said external data and said pages according to a series of predetermined entity-specific metrics defining information relevant to the entity;

fourth computer readable program code means for causing the computer to measure the number of occurrences that each of said pages falls within each of said series of predetermined metrics, wherein said measuring step comprises:

fifth computer programmable code for parsing content of said pages using predetermined categories of key words; searching for at least one key word in the predetermined categories; and scoring said subset of said pages utilizing at least one key word and analyzed statistics based on an amount of key words found on a page;

sixth computer readable program code means for causing the computer to compare said number of occurrences that each of said pages falls within each of said series of predetermined metrics to a predetermined n-list of values for each of said series of predetermined metrics; wherein said n-list represents a selective sampling in order to compare the entity,

seventh computer readable program code means for causing the computer to deliver a benchmark for the entity based on the fifth computer readable program code means;

eighth computer readable program code means for repeating the above steps to obtain a list of benchmarks for other entities; and

ninth computer readable program code means for generating a report comparing said benchmarks, wherein said report compiles the analyzed statistics from said pages and prioritizes said pages utilizing the metrics to combine said analyzed statistics and said external data.

The features of <u>measuring the magnitude of an entity's presence</u> and <u>generating a</u>

<u>comparative report comparing at least two entities based on the magnitude of each entity's</u>

presence are supported in Applicants' application. The feature of <u>measuring the magnitude of an</u> <u>entity's presence</u> is supported, for example, on page 4, lines 4-9 and page 17, lines 33-36 of Applicant's application. The feature of <u>generating a comparative report comparing at least two</u> <u>entities based on the magnitude of each entity's presence</u> is supported, for example, on page 4, lines 11-21 and page 17, line 33 - page 18, line 10 of Applicant's application.

Per the arguments above, independent Claims 1, 6, and 11 are patentable over <u>Buck</u> and <u>Kirsch</u>. Dependent claims 2-4, 7-10, and 12 depend on Claims 1, 6, and 11, and are thus also allowable.

Applicants believe that the application is now in condition for allowance. Should the Examiner determine that any further action is necessary to place this application into better form, the Examiner is encouraged to telephone the undersigned representative at the number listed below.

Respectfully submitted,

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